

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

United States District Court  
Southern District of Texas  
BROWNSVILLE

**MAY 29 2002**

Michael N. Milby, Clerk of Court  
By Deputy Clerk *[Signature]*

IN RE THE COMPLAINT AND PETITION §  
OF BROWN WATER TOWING I, INC., §  
AS OWNER, AND BROWN WATER §  
MARINE SERVICE INC., AS BAREBOAT §  
CHARTERERS, OF THE BROWN §  
WATER V, ITS ENGINES, TACKLE, §  
ETC., IN A CAUSE OF EXONERATION §  
FROM OR LIMITATION OF LIABILITY §  
§  
IN THE MATTER OF AMERICAN §  
COMMERCIAL LINES LLC AS OWNER §  
and AMERICAN COMMERCIAL BARGE §  
LINE LLC AS CHARTERER OF THE §  
BARGES NM-315, VLB-912, ACL-9993B, §  
VLB-9173, PRAYING FOR EXONERATION §  
FROM AND/OR LIMITATION OF LIABILITY §

**CIVIL ACTION NO. B-01-157**

**Consolidated with**

**CIVIL ACTION NO. B-02-004**

**Admiralty**

*CAB-02-115*

**ORDER**

BE IT REMEMBERED that on May 29th, 2002, the Court considered Petitioners' Motion to Sever [Dkt. No. 182]. This Motion seeks to sever the sixty-seven claimants attached as Exhibit "A" from this action. The Court previously granted summary judgment against these claimants in the Order dated May 9, 2002 [Dkt. No. 176]. The Court finds that a severance will streamline the case and decrease costs to all the Parties. The Court also finds that substantial rights will not be prejudiced by a severance and that there is no reason to delay the entry of final judgment against the severed claimants. IT IS THEREFORE,

**ORDERED, ADJUDGED, and DECREED** that the claims against Petitioners Brown Water Marine Service, Inc. and Brown Water Towing I, Inc. of the claimants attached as Exhibit "A" are severed into a separate proceeding, Civil Action Number **B-02-115**, so that the Court's Order of May 9, 2002 [Dkt. No. 176] can become final judgment with respect to these claims.

DONE at Brownsville, Texas, this 29th day of May, 2002.

*[Signature]*  
Hilda G. Tagle  
United States District Judge

**EXHIBIT "A"**

**Robert A. Fandrich and Virginia Fandrich**

**John McCoy and Mary McCoy**

**Dimas Mora**

**202 Bayside Bar & Grill**

**A-1 Taxi & A-1 Limousine**

**Amberjack's Bar and Grill, Inc.**

**Charlie Armendariz**

**BK's Beach to Bay Enterprises, Inc., d/b/a BK's Carpet & Upholstery Cleaning**

**Rodolfo Barrera**

**Rick and Brenda Bays**

**Bubba's Bayside Bar-B-Que Restaurant**

**Buena Suerte Sport Fishing Charters**

**Cactus Flower Interiors**

**Capt. Thomas Charter Fishing**

**Casa de Siesta Bed & Breakfast**

**Dolly Castillo**

**Coffey Construction**

**Rae Dejur**

**Designer's Discount Showroom**

**Edelstein's Better Furniture and Show Case**

**Fedigan Construction**

**Adrian Flandes**

**Furcron Realtors**

**Pedro Garcia, III**

**Ghilain, Inc.**

**Risa Ann Ghilain**

**Mark A. Guillot**

**Joe Gutierrez, III**

**Adam and Marcela Hancock**

**Island Market**

**Island Pharmacy**

**J. W. Properties, Inc.**

**J. W. Restaurants, Inc.**

**Jim Reynolds Hair Design**

**Jim's Pier, Inc.**

**Joseph's Restaurant**

**Kelly's Irish Pub**

**Kohnami Restaurant**

**La Jaiba Seafood Restaurant and Lounge**

**La Vina's Natural Nail Care**

**Michael and Judy Lemmons**

**Miramar Resort**

**Marina Village, Inc.**

**Massage & Healing Arts Center**

**Andrew L. Minkler**

**Padre Island Brewing Co., Inc.**

**Glen and Joyce Pfeil**

**Pro-Fit Gym**

**Property Management Co.**

**Richard Stockton Photography**

**Sangria Condominium, Inc.**

**Sea Ranch Enterprises, Inc.**

**South Padre Island Fishing Center Joint Venture**

**SPI Management**

**SPI Security**

**SPI Texas Enforcement Group, Inc.**

**Lee Roy Summerlin**

**T-Brent**

**Ted's Restaurant, Inc.**

**Texas Beach House**

**The Coastal Current**

**The Town of South Padre Island**

**Uncle Buggies Beach Buggy Rentals**

**Gilbert Vela**

**Ybarra's Tire Busters**